

## DECLARATION - USA PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled STABILIZED MICROBUBBLE COMPOSITIONS; the specification of which was filed on July 30, 1993 as Application Serial No. 08/099,951.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Ernest G. Schutt

Inventor's signature Ernest G. Schutt

Date Sept. 28, 1993

Residence: San Diego, California

Citizenship: United States of America

Post Office Address: 12139 Ragweed Street, San Diego, California 92129

Full name of second inventor: David P. Evitts

Inventor's signature David P. Evitts

Date Sept 29, 1993

Residence: La Jolla, California

Citizenship: United States of America

Post Office Address: 8440-C Via Mallorca, La Jolla, California  
92037

Full name of third inventor: Rene Alta Kinner

Inventor's signature Rene Alta Kinner

Date Sept 28, 1993

Residence: San Diego, California

Citizenship: United States of America

Post Office Address: 3955 Third Avenue, San Diego, California  
92103

Full name of fourth inventor: Charles David Anderson

Inventor's signature Charles David Anderson

Date Oct. 4, 1993

Residence: Lebanon, New Jersey

Citizenship: United States of America

Post Office Address: 27 Potterstown Road, Lebanon, New Jersey  
08833

ALLIA.062A

Full name of fifth inventor: Jeffry G. Weers

Inventor's signature

Date September 28, 1993

Residence: San Diego, California

Citizenship: United States of America

Post Office Address: 12191 Salix Way, San Diego, California 92129

Send Correspondence To:  
KNOBBE, MARTENS, OLSON & BEAR  
620 Newport Center Drive  
Sixteenth Floor  
Newport Beach, CA 92660-8016

Direct Telephone Calls To:  
Ned A. Israelsen

(619) 235-8550

CAH-3766:lw  
082693

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Ernest G. Schutt ) Group Art Unit: 1209  
Appl. No. : Unknown )  
Filed : Herewith )  
For : MIXED GAS MICROBUBBLE )  
COMPOSITIONS )  
Examiner : M. Cebulak )

ASSOCIATE POWER OF ATTORNEY

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

The following named person is hereby appointed an associate attorney to prosecute the above-identified application and take all actions respecting the same:

Christopher A. Dayton, Reg. No. 35,114  
ALLIANCE PHARMACEUTICAL CORP.  
3040 Science Park Road  
San Diego, CA 92121

Please continue to send all correspondence to:

KNOBBE, MARTENS, OLSON & BEAR, LLP  
620 Newport Center Drive  
Sixteenth Floor  
Newport Beach, CA 92660  
(714) 760-0404

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 1-17-97

By: 

Ned A. Israelsen  
Registration No. 29,655  
Attorney of Record  
620 Newport Center Drive  
Sixteenth Floor  
Newport Beach, CA 92660  
(619) 235-8550

POWER OF ATTORNEY BY ASSIGNEE  
AND  
EXCLUSION OF INVENTOR UNDER 37 C.F.R. § 3.71

To the Commissioner of Patents and Trademarks:

The undersigned is empowered to act on behalf of the assignee indicated below (the "Assignee"). The original Assignment of the attached application for Letters Patent for the invention in STABILIZED MICROBUBBLE COMPOSITIONS, Serial No. 08/099,951, filed July 30, 1993, from the inventors to the Assignee has been submitted to the Assignment Branch for recordation. A true copy of this Assignment is attached hereto. I have reviewed the attached Assignment and hereby certify that to the best of the Assignee's knowledge and belief, the Assignee is the owner of the entire interest and title in the application for Letters Patent for the invention referred to above.

I declare that all statements made herein of my own knowledge are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

The Assignee hereby appoints Louis J. Knobbe, Registration No. 18,780; Don W. Martens, Registration No. 21,107; Gordon H. Olson, Registration No. 20,319; James B. Bear, Registration No. 25,221; Darrell L. Olson, Registration No. 28,247; William B. Bunker, Registration No. 29,365; William H. Nieman, Registration No. 30,201; John C. Lambertsen, Registration No. 29,400; Lowell Anderson, Registration No. 30,990; Arthur S. Rose, Registration No. 28,038; James F. Lesniak, Registration No. 25,240; Ned A. Israelsen, Registration No. 29,655; Drew S. Hamilton, Registration No. 29,801; Jerry T. Sewell, Registration No. 31,567; John B. Sganga, Jr., Registration No. 31,302; Edward A. Schlatter, Registration No. 32,297; Gerard von Hoffmann, Registration No.

33,043; William C. Rooklidge, Registration No. 31,791; Joseph R. Re, Registration No. 31,291; John M. Carson, Registration No. 34,303; Andrew H. Simpson, Registration No. 31,469; Daniel E. Altman, Registration No. 34,115; Anita M. Kirkpatrick, Registration No. 32,617; Vito A. Canuso, Registration No. 35,471; William H. Shreve, Registration No. 35,678; Stephen C. Jensen, Registration No. 35,556; Michael Fedrick, Registration No. 36,799; James F. Sweeney, Registration No. 32,445, Nancy Ways Vensko, Registration No. 36,298; Jonathan A. Barney, Registration No. 34,292; Myra H. McCormack, Registration No. 36,602; Renee E. Rogers, Registration No. 36,657; Guy L. Cumberbatch, Registration No. 36,114; Michael L. Fuller, Registration No. 36,516; and George T. Parsons, Registration No. 34,690, Knobbe, Martens, Olson & Bear, 620 Newport Center Drive, Sixteenth Floor, Newport Beach, California 92660, Telephone (619) 235-8550, as its attorneys to prosecute this application and to transact all business in the Patent Office connected therewith, said appointment to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please direct all communications relative to said application to the following correspondence address:

KNOBBE, MARTENS, OLSON & BEAR  
620 Newport Center Drive  
Sixteenth Floor  
Newport Beach, CA 92660

Telephone: (619) 235-8550

Assignee: ALLIANCE PHARMACEUTICAL CORP.

By : 

Title : Theodore Roth  
Executive Vice President

Address : 3040 Science Park Road  
San Diego, California 92121

Dated: October 28, 1993

ASSIGNMENT

PATENT

WHEREAS, I, Charles David Anderson, a citizen of the United States of America, residing at 27 Potterstown Road, Lebanon, New Jersey, 08833, have invented certain new and useful improvements in a STABILIZED MICROBUBBLE COMPOSITIONS for which I have executed an application for Letters Patent in the United States, Serial No. 08/099,951, filed July 30, 1993;

AND WHEREAS, ALLIANCE PHARMACEUTICAL CORP., a New York Corporation, with its principal place of business at 3040 Science Park Road, San Diego, California, 92121, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the said inventor, do hereby acknowledge that I have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ALLIANCE PHARMACEUTICAL CORP., its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and I hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ALLIANCE PHARMACEUTICAL CORP., its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND I HEREBY covenant and agree that I will communicate to the said ALLIANCE PHARMACEUTICAL CORP., its successors, legal representatives and assigns, any facts known to me respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ALLIANCE PHARMACEUTICAL CORP., its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 20<sup>th</sup> day of October 1993.

Charles David Anderson  
Charles David Anderson

STATE OF New York

COUNTY OF Orange

|| ss.  
||

On October 20, 1993, before me, Linda M Wood, personally appeared Charles David Anderson personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL] LINDA M. WOOD  
Notary Public, State of New York  
No. 4957414  
Qualified in Orange County  
Commission Expires October 16, 1995

CAH-3862

Linda M Wood  
Signature

NOV -5 93

FILED  
PATENT AND TRADEMARK  
OFFICE

REEL 6756 FRAME 588

## ASSIGNMENT

PATENT

WHEREAS, We, Ernest G. Schutt, a citizen of the United States of America, residing at 12139 Ragweed Street, San Diego, California, 92129, David P. Evitts, a citizen of the United States of America, residing at 8440-C Via Mallorca, La Jolla, California, 92037, Rene Alta Kinner, a citizen of the United States of America, residing at 3955 Third Avenue, San Diego, California 92103, and Jeffry G. Weers, a citizen of the United States of America, residing at 12191 Salix Way, San Diego, California 92129 have invented certain new and useful improvements in a STABILIZED MICROBUBBLE COMPOSITIONS for which we have executed an application for Letters Patent in the United States, Serial No. 08/099,951, filed July 30, 1993;

AND WHEREAS, ALLIANCE PHARMACEUTICAL CORP., a New York Corporation, with its principal place of business at 3040 Science Park Road, San Diego, California 92121, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) each to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ALLIANCE PHARMACEUTICAL CORP., its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ALLIANCE PHARMACEUTICAL CORP., its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ALLIANCE PHARMACEUTICAL CORP., its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ALLIANCE PHARMACEUTICAL CORP., its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 21 day of October, 1993

*Ernest G. Schutt*  
Ernest G. Schutt

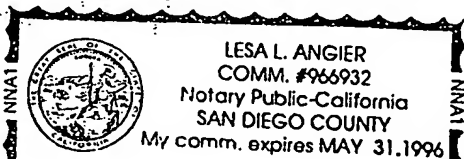
STATE OF California  
COUNTY OF San Diego

|| ss.  
||

On 10/21/93, before me, Lesia L. Angier personally appeared Ernest G. Schutt personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

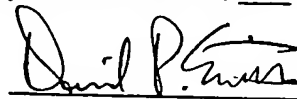


*Lesia L. Angier*  
Signature

REF 6756 FRAME 590



IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 20 day of October, 1993



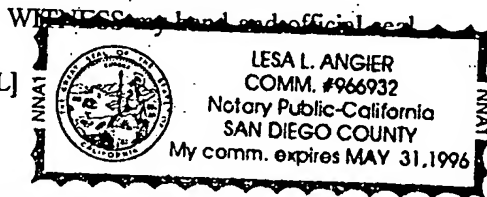
David P. Evitts

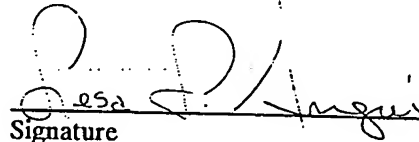
STATE OF California

COUNTY OF San Diego

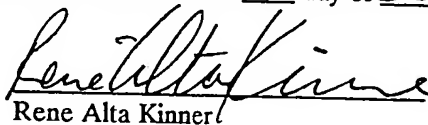
]] ss.

On 10/20/93, before me, Lesal L. Angier personally appeared David P. Evitts personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



  
Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 20 day of October, 1993

  
Rene Alta Kinner

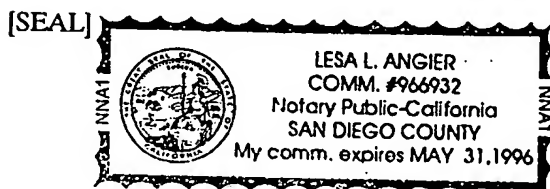
STATE OF California

COUNTY OF San Diego

]] ss.

On 10/20/93, before me, Lesal L. Angier personally appeared Rene Alta Kinner personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



  
Signature

REEL 6756 FRAME 591

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 20<sup>th</sup> day of October, 1993.

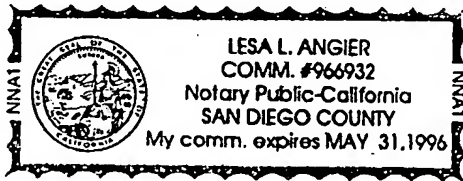
  
Jeffrey G. Weers


STATE OF California }  
COUNTY OF San Diego } ss.

On 10/20/93, before me, Lesa L. Angier personally appeared Jeffrey G. Weers personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal:

[SEAL]



  
Signature

NOV -5 93

PATENT AND TRADEMARK  
OFFICE

REF 6756 FRAMES 92